



CHAIRMAN

Federal Communications Commission

Washington, D.C.  
February 4, 2005

The Honorable Susan M. Collins  
Chairwoman  
Committee on Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairwoman Collins:

On December 10, 2004, the U.S. Government Accountability Office submitted a report entitled Federal Communications Commission: Federal Advisory Committees Follow Requirements, but FCC Should Improve Its Process for Appointing Committee Members (GAO-05-36) to the House Committee on Government Reform.

While finding that the Commission follows applicable requirements in its management of committees appointed under the Federal Advisory Committees Act ("FACA"), the report did make a single recommendation. That recommendation is that the Commission better ensure that advisory committee members understand the type of advice they are to provide. This letter is to inform you of the actions the Commission plans to take on this recommendation the next time advisory committee members are appointed.

As noted in the report, the Commission currently informs FACA committee members in writing whether they will be serving in a representative capacity, or as an individual expert and, therefore, as a special government employee. Currently, this information is provided either in the members' appointing letters or in separate letters from a representative of the designated agency ethics official.

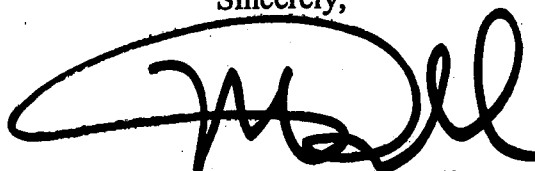
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In addition, in the future, the Commission's designated agency ethics official or his designee will begin participating at the early stages of the selection process for future FACA committee members. This will better ensure that committee members serving as representatives understand from the outset the specific entities or groups, and the underlying viewpoints or

interests that they are expected to represent. It will also ensure that those planning to serve as special government employees are aware of the legal requirements associated with their service on the committee.

We appreciated this opportunity to learn GAO's perspective on both our management of our federal advisory committees and their recommendation on how best to take advantage of the insight and expertise offered by these committees.

Sincerely,

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Michael K. Powell

cc: U.S. Government Accountability Office  
Office of Management and Budget



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Washington, D.C.

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The Honorable Tom Davis  
Chairman  
Committee on Government Reform  
U.S. House of Representatives  
2157 Rayburn House Office Building  
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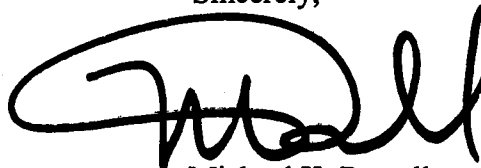
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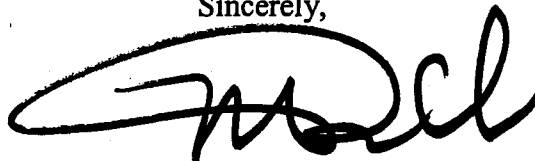
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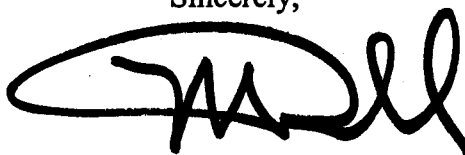
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CHAIRMAN

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May 16, 2005

The Honorable Susan M. Collins  
Chairwoman  
Committee on Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairwoman Collins:

On February 9, 2005, the U.S. Government Accountability Office ("GAO") submitted a report entitled "Greater Involvement Needed by FCC in the Management and Oversight of the E-Rate Program" (GAO-05-151) ("GAO Report") to the Chairman of the House Committee on Energy and Commerce. The report was transmitted to the Federal Communications Commission ("Commission") on March 16, 2005. The report made three recommendations to strengthen the management and oversight of the Universal Service Fund ("USF") Schools and Library Support Mechanism ("E-rate Program"). I am submitting this letter to inform you of the actions the Commission has taken or intends to take to address the recommendations made by the GAO.

First, the GAO recommends that the Commission determine comprehensively which federal accountability requirements apply to the E-rate Program.

In response to the recommendation, I have directed the staff to conduct a further assessment of the laws and regulations applicable to the USF. In response to the GAO's recommendation, we will consult with OMB and the GAO, as appropriate, to determine whether all government accountability requirements, policies, and practices applicable to the USF have been adequately implemented and to identify any additional fiscal controls that should apply to the USF. As recommended by the GAO, this further assessment will include an evaluation of the organizational structure for carrying out the program, including the relationship between the Commission and USAC and their respective authorities and roles in implementing the program. After conducting this assessment, we will determine whether changes to Commission rules and regulations, including the adoption of additional internal controls, are necessary to ensure continued compliance with all applicable laws and to protect the program and funding.

Second, the GAO recommends that the Commission establish performance goals and measures for the E-rate Program.

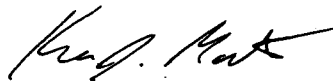
In response to this recommendation, the Commission is preparing to adopt a rulemaking proceeding to examine the adoption of performance goals and measures consistent with the Government Performance and Results Act (GPRA).

Third, the GAO recommends that the Commission take steps to reduce the backlog of E-rate beneficiary appeals.

At this time, the Commission has approximately 350 E-rate appeals that have been pending more than 90 days. As noted in the GAO Report, the Commission has already established a goal of resolving these appeals by the end of the calendar year, if at all possible.

I appreciate the opportunity to report on the Commission's measures to implement the GAO's recommendations in this important area. If I can provide additional information concerning this or any other matter, please do not hesitate to contact me.

Sincerely,



Kevin J. Martin

cc: The Honorable Joe Barton  
Director, Physical Infrastructure Issues, U.S. Government Accountability Office  
Office of Management and Budget



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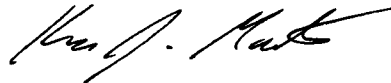
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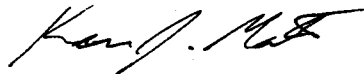
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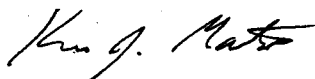
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Committee on Homeland Security &  
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United States Senate  
340 Dirksen Senate Office Building  
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Dear Chairwoman Collins:

On July 22, 2005, the U.S. Government Accountability Office (GAO) issued its report Financial Audit: The Federal Communications Commission's Fiscal Year 2004 Management Representation Letter on Its Financial Statements (GAO-05-608R) (GAO Report). The GAO made one recommendation to the Commission's Chief Financial Officer and one to the Commission's Inspector General. I am submitting this letter to inform you of the action the Commission plans to take on the recommendations made by the GAO.

The GAO recommended that the Commission's Chief Financial Officer make sure that future management representation letters submitted as part of the annual financial statements audit fully include all representations from the Financial Audit Manual (FAM) that are applicable. In addition, the GAO recommended that the Commission's Inspector General work with the Commission to ensure that future management representation letters meet the key conditions noted in the GAO Report.

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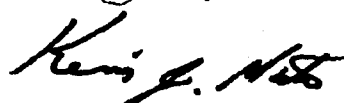
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